

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**
(PCT Rule 43bis.1)

<p>Applicant's or agent's file reference see form PCT/ISA/220</p>		<p>Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)</p>	
<p>International application No. PCT/T2004/000305</p>	<p>International filing date (day/month/year) 26.05.2004</p>	<p>Priority date (day/month/year) 23.06.2003</p>	
<p>International Patent Classification (IPC) or both national classification and IPC B23D79/02, B21C37/08</p>			
<p>Applicant OTO MILLS, S.P.A.</p>			

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

<p>Name and mailing address of the ISA:</p> <p> European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465</p>	<p>Authorized Officer</p> <p>Frisch, U</p> <p>Telephone No. +49 89 2399-7237</p>
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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IT2004/000305

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/T2004/000305

Box No. II Priority

1. The following document has not been furnished:

- copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).
 translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	2-8
	No: Claims	1
Inventive step (IS)	Yes: Claims	2-8
	No: Claims	1
Industrial applicability (IA)	Yes: Claims	1-8
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Re Item V.

1 The following documents are referred to in this communication:

D1 : US 5 192 013 A (ABBEY III NELSON D ET AL) 9 March 1993 (1993-03-09)

D2 : US 2 959 842 A (MEYERS RICHARD A) 15 November 1960 (1960-11-15)

2 INDEPENDENT CLAIM 1

2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

Document D1 discloses (the references in parenthesis applying to this document): A bead trimmer with a tool extraction system (Fig. 1,3,4), preferably used in a production line of elements (11) bearing longitudinal weld beads (15) in which an element slides along a direction which is parallel to a longitudinal axis thereof, wherein it comprises a tool-bearing turret (100) for removably fixing a bead-trimmer tool (122), which turret is supported by means for translating the turret on command according to at least one vertical direction and at least one horizontal direction (c.4, l.53-60) which horizontal direction is transversal with respect to the longitudinal axis between an internal working position and an external tool-changing position ("moving alternate blades into and out of operative position for replacement of the cutting edge"), with a run which is sufficient to extract the turret from a working zone thereof.

3 DEPENDENT CLAIMS 2-8

The combination of the features of dependent claim 2 are neither known from, nor rendered obvious by, the available prior art. The reasons are as follows:

The available prior art does not mention an intermediate slide between a first slide and a second slide, wherein the intermediate slide is movable along the same direction as the second slide. The problem solved is to enable an independent and easy centering/positioning of the tool.

The solution to this problem proposed in claim 2 of the present application is considered to be novel (Article 33(2) PCT) and as involving an inventive step (Article 33(3) PCT).

**WRITTEN OPINION OF THE
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AUTHORITY (SEPARATE SHEET)**

International application No.
PCT/IT2004/000305

Claims 3-8 as dependent on claim 2 (see Item VII), as such also meet the requirements of the PCT with respect to novelty and inventive step.

Re Item VII.

Claims 3, 5, 6 and 7 are referred back to claim 1. However these claims develop features ("first slide", "second slide", "intermediate slide") which are introduced in claim 2.

) Claim 4 is referred back to claim 2. However claim 4 develops features ("wheels 6") which are introduced in claim 3.

Claim 8 is referred back to claim 6. However claim 8 develops features ("blocking and unblocking cylinder") which are introduced in claim 7.

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